

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TYLER S. PHILLIPS,

Plaintiff,

v.

No. 20-cv-0107 WJ/SMV

**CURRY COUNTY DETENTION CENTER and
ROOSEVELT COUNTY DETENTION CENTER,**

Defendants.

SECOND ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. The record reflects that certain mailings to Plaintiff Tyler S. Phillips were returned as undelivered. [Doc. 28]. This is the third time that mail to Plaintiff has been returned as undeliverable. *See* [Docs. 20, 23]. At the time of filing his initial complaint, Plaintiff was incarcerated at the Curry County Detention Center. *See* [Doc. 1]. He was released from the Curry County Detention Center on September 25, 2020, without providing the Court with a new address. *See* [Doc. 21]. Plaintiff did not respond directly to the Order to Show Cause. However, he sent filings to the Court bearing a new return address in Grants, New Mexico. [Docs. 24, 25, 26]. Mail sent to Plaintiff at the Grants, New Mexico address is now being returned as undeliverable. [Doc. 28].

It appears that Plaintiff Phillips has again failed to advise the Court of his new address, as required by D.N.M.LR-Civ. 83.6, thus severing contact with the Court. Because Plaintiff has failed to comply with the Court's local rules, he will be required to show cause why this action should not be dismissed. *See Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) (citation omitted) ("It is incumbent on litigants, even those proceeding pro se, to follow the federal rules of

procedure. The same is true of simple, nonburdensome local rules”). Failure to comply with this Order may result in dismissal without further notice.

IT IS THEREFORE ORDERED that, **no later than April 16, 2021**, Plaintiff notify the Clerk in writing of his current address or otherwise show cause why this action should not be dismissed.



STEPHAN M. VIDMAR
United States Magistrate Judge